

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

HARALD JOACHIM VON DER GOLTZ,

Defendant.

No. S6 18 Cr. 693 (RMB)

DECLARATION OF DANIEL KOFFMANN

I, Daniel Koffmann, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am an associate of the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Harald Joachim von der Goltz, and a member in good standing of the bar of New York and this Court. I respectfully submit this declaration in support of Mr. von der Goltz's Sentencing Memorandum.

2. Attached to this declaration as Exhibit 1. are excerpts of the transcript of a sentencing proceeding in *United States v. Garbarino*, No. 87 Cr. 860 (KTD) (S.D.N.Y. Jan. 7, 2013).

3. Attached to this declaration as Exhibit 2. is an April 18, 1972 letter from the Fuerzas Armadas Rebeldes to Rodrigo von der Goltz, and accompanying translation.

4. Attached to this declaration as Exhibit 3. are excerpts of the transcript of a sentencing proceeding in *United States v. Tahir*, No. 13 Cr. 118 (ALC) (S.D.N.Y. June 5, 2015).

5. Attached to this declaration as Exhibit 4. are excerpts of the transcript of a sentencing proceeding in *United States v. Cohen*, No. 19 Cr. 741 (WHP) (S.D.N.Y. June 9, 2020).

6. Attached to this declaration as Exhibit 5. is an April 3, 2020 memorandum from the Attorney General of the United States to the Director of the Federal Bureau of Prisons, entitled *Increasing Use of Home Confinement at Institutions Most Affected by COVID-19*.

7. Attached to this declaration as Exhibit 6. is a March 26, 2020 memorandum from the Attorney General of the United States to the Director of the Federal Bureau of Prisons, entitled *Prioritization of Home Confinement As Appropriate in Response to COVID-19*.

8. Attached to this declaration as Exhibit 7. are excerpts of the Bureau of Prisons Program Statement P5100.08, dated September 12, 2006.

9. Attached to this declaration as Exhibit 8. are excerpts of the Bureau of Prisons Change Notice 7310.4, dated December 16, 1998.

10. Attached to this declaration as Exhibit 9. is a January 24, 2018 memorandum from the Assistant Director of the Federal Bureau of Prisons, entitled *Increasing Population Levels in Private Contract Facilities*.

11. Attached to this declaration as Exhibit 10. are excerpts of an August 2016 report from the Office of the Inspector General of the United States Department of Justice, entitled *Review of the Federal Bureau of Prisons' Monitoring of Contract Prisons*.

12. Attached to this declaration as Exhibit 11. are excerpts of the transcript of a sentencing proceeding in *United States v. Black*, No. 16 Cr. 370 (CM) (S.D.N.Y. Nov. 4, 2019).

13. Attached to this declaration as Exhibit 12. are excerpts of the Immigration and Customs Enforcement's Budget Overview for Fiscal Year 2020.

14. Attached to this declaration as Exhibit 13. are excerpts of a June 3, 2019 report from the Office of Inspector General of the Department of Homeland Security, entitled *Concerns about ICE Detainee Treatment and Care at Four Detention Facilities*.

15. Attached to this declaration as Exhibit 14. is a data export from the U.S. Sentencing Commission's Interactive Data Analyzer, <https://ida.ussc.gov/>.

16. Attached to this declaration as Exhibit 15. is a June 15, 2020 letter from H.J. von der Goltz to U.S. Probation Officer Johnny Kim.

17. Attached to this declaration as Exhibit 16. is a valuation proposal submitted by StoneTurn regarding the valuation of the Revack Foundation.

18. Attached to this declaration as Exhibit 17. is the H. Joachim von der Goltz Children's Trust Indenture, dated December 22, 1994.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
July 2, 2020

/s/ Daniel Koffmann
Daniel Koffmann